1948

File No. O. Village Sanitation / 48

P 2 E

DEPARTMENT

BRANCH

Subject:— Opinions under the Bombay Village Sanitation Act, 1889

File No. O. Village Sanitation / 48

Std. Sectt. Slip 74 B a.

530

C O N T E N T S

Legal Department File No. C. Village Sanitation/48

Sr. No.	Compilation No.	Subject	Pages
1.	O.No. 11724 10-12-48	Land Acquisition Act, 1894, sec 41- B'bay Village Sanitation Act, 1[illegible] Re: Walchandnagar Establishment of Municipality and ~~in~~ the a Sanitary Committee in the area	1-3

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.L.A's No.5246
ated 22.5.1948

The agreement executed by the Walchand Industties under section 41 of the Land Acquisition Act, 1894, provides that among other matters the land was acquired by the company for the construction of quarters for the Government offices and servants from the Excise Police, Postal and other departments posted at the company's factory. The erection of quarters for these offices will not necessarily make the approaches to these quarters public high ways. It is true that under para. 7 of the agreement Government can acquire any portion of the land handed over to the company for opening new public roads. But such acquisition will involve the payment of compensation to the company. The agreement entered into by the company is not of mush material help in the solution of difficulties which have arisen. R.D. should consider the question of amending the terms of such agreements which will be entered into in future when land will be acquired under the Land Ac quisition Act for the use of companies.

2. It appears from R.L.A's to G.D. No.5246, dated 22nd May 1946 that in order to give civic rights to the workers of the Walchand Nagar G.D. is considering the question of establishing a municipality in the area. It is not known what decision has been arrived at in the matter. Perhaps the establishment of a municipality will take much time. A quicker way will be to establish a Sanitary Committee for the area under the Bombay Village Sanitation Act, 1889. On the establishment of such Committee, all reads in the area which are being used by residents and which can reasonably be claimed as public reads in the area will vest in the Committee and the Managers of the Company will find it difficult to exercise the rights of private ownership over them. The H. and L.G.D. may consider this question.

Sd/- P.M.Lad 9/12

o.c. Remembrancer of Legal Affairs.

U.R. to R.D. and H. and L.G.D., No.11724, dated the 10th December 1948